



*In re* HAMILTON *et al.*  
Patent Application Serial No. 09/994,927  
Attorney Docket No. 03166.0029.NPUS02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAMILTON, et al.

Appl. No. 09/994,927

Filed: November 28, 2001

For: **BISUBSTITUTED CARBOCYCLIC  
CYCLOPHILIN BINDING  
COMPOUNDS AND THEIR USE**

Art Unit: 1626

Examiner: Robert Gerstl

Atty. Docket: 03166.0029.NPUS02

Confirmation No. 7274

**Petition to Withdraw from Issue  
Under 37 C.F.R. § 1.313(b)(5)**

***MAIL STOP PETITIONS***

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.313(b)(5), Applicant petitions the Assistant Commissioner for Patents to withdraw the above-referenced application from issue for abandonment to permit consideration of an Information Disclosure Statement under 37 C.F.R. § 1.97 which was filed with a Request for Continued Examination ("RCE") under 37 C.F.R. § 1.114. A copy of the RCE filed on March 15, 2004 is attached hereto.

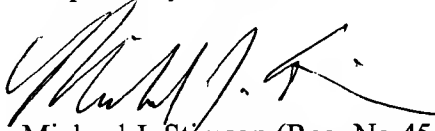
Applicant does not waive any right to appropriate action to establish patentability over any of the documents should they be applied as references against the claims in the continuing application.

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Pursuant to 37 C.F.R. § 1.313(c)(2), grant of this petition is appropriate because applications have filed an RCE following the payment of the issue fee. The petition fee as set forth in 37 C.F.R. § 1.17(h) is enclosed. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account 08-3038 referencing attorney docket number 03166.0029.NPUS02. *A duplicate copy of this Petition is enclosed for this purpose.*

Prompt and favorable consideration of this petition is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Simson", with a stylized flourish at the end.

Michael J. Simson (Reg. No. 45,429)  
Andrew R. Sommer (Reg. No. 53,932)

Enclosure: Copy of RCE filed March 15, 2004.

Date: March 17, 2004

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